UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,328	11/10/2003	Shailesh B. Gandhi	BOC9-2003-0048 (419)	5106

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EXAMINER
PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
10/30/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _12 August 2008_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,2,4-6,8-12,14-17,19 and 20_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-2, 4-6, 8-12, 14-17, and 19-20_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 08/12/2008 has been entered.

Response to Arguments

2.   Applicant's arguments with respect to claims 1, 11, and 16 have been considered but are

moot in view of the new ground of rejection(112 second paragraph).

3.   Applicant's arguments filed 08/12/2008 have been fully considered but they are not

persuasive. Applicant contends the prior art of record, Begeja, does not disclose the newly added

limitations. The examiner respectfully disagrees as the newly added limitations are still broad

and does not further define the claims nor applicant's invention. For example, the limitations of

"*wherein the personal computing system is personal to the user*"still reads on Begeja as Begeja's

user calls into the system and manages personal email and therefore the system is 'personal' to

the user.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

5.   Claims 1, 11 and 16 rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.

Claims 1, 11, and 16 recite "wherein the personal computing system is personal to the

user and does not provide paid services to the user" which is unclear and confusing as applicant

invention subscribes to the internet for services which is a paid service to the user, as one

example. This makes the claim contradictory and also indefinite. Appropriate clarification

and/or correction is required.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
> sale in this country, more than one year prior to the date of application for patent in the United States.

7.   Claims 1-2, 4-6, 8-12, 14-17, and 19-20 rejected under 35 U.S.C. 102(b) as being

anticipated by Begeja et al., Patent #6,243,445.

Regarding claims 1, 11 and 16, Begeja teaches a method, means, and machine readable

storage having stored thereon a computer program for remotely requesting information or

services from a remote service server through a personal computing system, the method and

means(Fig.1) comprising the steps of:

receiving, in the personal computing system(102 Fig.1), a telephone call from a user registered

with the personal computing system, wherein the user is remotely located from the personal

computing system(108 Fig.1 and col.2 lines 38-55);

wherein the personal computing system is personal to the user and does not provide paid services to the user, wherein the personal computing system does not exercise administrative control over a plurality of clients, and wherein the personal computing system functions as a client with respect to the remote service server*(col.3 lines 1-57 and col.4 lines 34-48; Begaja's system does not exercise administrative control over a plurality of clients);*

receiving a user spoken utterance over the telephone call; speech recognizing the user spoken utterance to determine a request for information or a service(col.3 lines 1-14); formatting an electronic message according to the request; and sending the electronic message over a communications network to the remote service server(col.3 lines 1-14 and col.4 lines 34-48); receiving content in the personal computing system from the remote service server, converting the content to speech audio in the personal computing system; and playing the audio to the user over the telephone call(col.3 lines 15-57).

Regarding claims 2, 12, and 17 Begeja teaches the method, means, and machine readable storage of claims 1, 11, and 16 wherein said formatting step comprising building an electronic message to be sent over the Internet(col.3 lines 1-14 and col.4 lines 34-48).

Regarding claims 4, 14 and 19, Begeja teaches the method, means, and machine readable storage of claims 1, 11, and 16 wherein the request is a request to send an electronic mail, said method further comprising the steps of: receiving at least one additional user spoken utterance; and converting the at least one additional user spoken utterance to text, wherein said formatting step builds an electronic mail to be sent in said sending step and includes the speech recognized text in the electronic mail(col.3 lines 1-14 and col.4 lines 34-48).

Regarding claims 5, 15, and 20 Begeja teaches the method, means, and machine readable

storage of claims 1, 11, and 16 wherein the request is a request to send an instant message, said method further comprising the steps of: receiving at least one additional user spoken utterance; and converting the at least one additional user spoken utterance to text, wherein said formatting step builds an instant message to be sent in said sending step and includes the speech recognized text in the instant message(col.3 lines 46-57).

Regarding claim 6, Begeja teaches a system for remotely requesting information or services from a remote service server through a personal computing system, the system comprising:

an interface for receiving telephone calls within the personal computing system(Fig.1);

a speech recognition system disposed within the personal computing system for converting user utterances received over established telephone calls to text(col.7 lines 54-67)

a service engine configured to receive speech recognized text from said speech recognition system, identify user requests from the text, generate messages according to the user requests, and send the messages to at least one remote computing system via a communications network(col.3 lines 1-14 and col.7 lines 54-67);

a text-to-speech engine disposed within the personal computing system for converting received text to speech audio(col.3 lines 15-45); and

a player for playing the audio to the user over the established telephone calls and wherein said service engine receives content responsive to the sent messages and provides the content to the text-to-speech engine to be rendered as speech(col.3 lines 40-60).

Regarding claim 7, Begeja teaches the system of claim 6, further comprising a text-to-speech engine disposed within the personal computing system for converting received text to

speech to be played over established telephone calls, wherein said service engine receives content responsive to the sent messages and provides the content to the text-to-speech engine to be rendered as speech(col.3 lines 15-57)

Regarding claim 8, Begeja teaches the system of claim 7, wherein said service engine comprises an electronic mail interface configured to generate messages according to user requests, wherein the messages are electronic mail messages(col.3 lines 1-14 and col.4 lines 34-48).

Regarding claim 9, Begeja teaches the system of claim 8, wherein said service engine comprises an instant messaging client configured to generate messages according to user requests, wherein the messages are instant messages(col.3 lines 1-14 and col.7 lines 54-67).

Regarding claim 10, Begeja teaches the system of claim 9, wherein said service engine interacts with a Hypertext Transfer Protocol Interface configured to format user requests for transmission over the Internet(col.2 lines 56-67).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 8:30am-6pm EST, off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph T Phan/
Examiner, Art Unit 2614
/CURTIS KUNTZ/
Supervisory Patent Examiner, Art Unit 2614